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Attorney for Defendant  
Brent Hooton

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

BRENT HOOTON,

Defendant.

Case No. 2:21-CR-00105-DAD

**STIPULATION AND ORDER TO  
CONTINUE STATUS CONFERENCE**

Judge: Honorable Dale A. Drozd.

**STIPULATION**

1. By previous order this case was set for status conference on October 4, 2022.
2. By this stipulation, the defendant asks to move the status conference until October 25, 2022, and to exclude time between October 4, 2022, and October 25, 2022 under Local Code T4.
3. The parties agree and stipulate, and request that the Court find the following:
  - (a) Defense counsel was recently appointed and requires time to meet with Mr. Hooton and obtain and review the discovery.
  - (b) Counsel for defendant believes failure to grant the above-requested continuance would deny them the reasonable time necessary for effective preparation, taking into account the exercise of due diligence.
  - (c) The government does not object to the continuance.

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(d) Based on the above-stated findings, the ends of justice served by continuing the case as requested outweigh the interest of the public and the defendants in a trial within the original date prescribed by the Speedy Trial Act.

(e) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161, *et seq.*, within which trial must commence, the time period of October 4, 2022 through October 25, 2022, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code T4] because it results from a continuance granted by the Court at defendants' request on the basis of the Court's finding that the ends of justice served by taking such action outweigh the best interest of the public and the defendants in a speedy trial.

Dated: September 29, 2022.

Respectfully submitted,

By /s/ Kresta Daly for  
AUDREY HEMESATH  
ASSISTANT UNITED STATES ATTORNEY

Dated: September 29, 2022.

By /s/ Kresta Daly  
Kresta Daly  
Attorney for Brent Hooton

BARTH DALY LLP  
ATTORNEYS AT LAW

**ORDER**

GOOD CAUSE APPEARING upon the stipulation of the parties it is ordered:

The status conference of October 4, 2022, is vacated. The status conference will be reset for October 25, 2022, at 9:30 a.m. The Court finds excludable time through October 25, 2022, under Title 18, United States Code Section 3161(h)(7)(B)(iv) and Local Code T4 to allow for preparation of counsel. The Court finds that the interests of justice are best served by granting the request and outweigh the interests of the public and the defendant in a speedy trial. (18 U.S.C. § 3161(h)(7)(A), (h)(7)(B)(iv).) The status conference now scheduled for October 25, 2022, will not be continued absent a compelling showing of good cause.

IT IS SO ORDERED.

Dated: September 29, 2022

  
UNITED STATES DISTRICT JUDGE